

**REMARKS**

Reconsideration of this application and withdrawal of the rejections set forth in the Office Action made Final mailed July 24, 2007, is requested in view of the amendments above and the following remarks. Prior to this amendment, Claims 1-21 were pending and at issue in this application prior to this amendment. By this amendment, Claims 1 and 14 have been amended to correct an obvious typographical error. No new matter has been added.

**I. REJECTION OF CLAIMS 1-21 AS BEING ANTICIPATED**

In the Office Action claims 1-21 were rejected under 35 U.S.C. § 102(e) as being anticipated by Wallace et al. (U.S. Patent No. 6,322,576 B1). In order to anticipate a claim under § 102(b), a single prior art reference must disclose, either expressly or inherently, each and every limitation of the claimed invention. Applicants respectfully submit that this rejection should be withdrawn because Wallace et al. does not disclose, either expressly or inherently, Applicants' claimed invention as amended herein. Contrary to the Examiner's rejection, the Examiner fails to point to any teaching in Wallace et al. of a vaso-occlusive coil having a secondary shape comprising a helical first section and a second section comprising a plurality of non-overlapping loops. Applicants have amended claims 1 and 14 to correct an obvious typographical error. Such amendment does not affect the scope or patentability of such claims.

Claim 1, as amended herein, is directed to a vaso-occlusive coil having an elongate helical primary shape defining a primary axis. In one described embodiment, this helical primary shape is then formed into a three-dimensional secondary shape. The three-dimensional secondary shape may be formed by winding the primary shape over a mandrel, and then heat-treating the device. The secondary shape comprises a first section which is also in a helical form. However, a second section

of the secondary shape is formed into a plurality of non-overlapping loops. The non-overlapping loops are specifically formed in order to provide certain desirable folding characteristics, and also certain advantageous mechanical properties. In addition, the successive loops of the non-overlapping loops lie in planes oriented at an angle between about 30 degrees and 150 degrees.

In contrast to Applicant's claimed invention, the Examiner fails to point to any disclosure in Wallace et al. of a coil having a secondary shape comprising a *helical first section* and a second section comprising a plurality of non-overlapping loops. At column 6, lines 28-33, Wallace et al. describes that the secondary configurations of the devices described therein "generally comprise overlapping and intertwining loops or ovals of the strand of the first configuration." Moreover, the Examiner points to no secondary shapes in Wallace et al. comprising a helical first section.

Thus, claims 1 and 14 patentable distinguish over Schaefer et al. Moreover, claims 2-13 and 15-21 depend from claims 1 or 14, or an intervening claim, and are not anticipated by Schaefer et al. for at least the same reasons as claims 1 and 14.

### CONCLUSION

Any claim amendments which are not specifically discussed in the above remarks are not made for reasons of patentability, do not affect the scope of the claims, and it is respectfully submitted that the claims satisfy the statutory requirements for patentability without the entry of such amendments. These amendments have only been made to increase claim readability, to improve grammar, or to reduce the time and effort required of those in the art to clearly understand the scope of the claim language.

In view of the foregoing amendments and remarks, Applicant respectfully submits that all of the Examiner's rejections have been overcome. Accordingly, allowance is earnestly solicited. If the Examiner feels that a telephone interview could expedite resolution of any remaining issues, the

examiner is encouraged to contact Applicant's undersigned representative at the phone number listed below.

Respectfully submitted,  
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Dated: October 8, 2007

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